

EXHIBIT 1-H

Ex. H to Plaintiff's Motion to Extend filed 8-19-20

New iMessage

Cancel

To: *** Justin Scott Gilbert Nashville *** Ch...

OK. LET ME WORK MY MAGIC

Mon, May 11, 12:34 PM

When is your brief due to mediator?

Three days before

Mon, May 11, 3:08 PM

Ok

Thu, May 14, 8:29 AM

Out today, avg ophthalmology pay \$378k, that's not including if I had sub-specialized (retina, glaucoma, ocular oncology)



iMessage



3:33 ↗



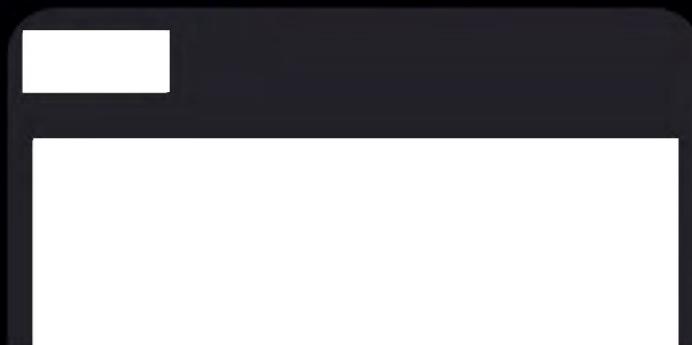
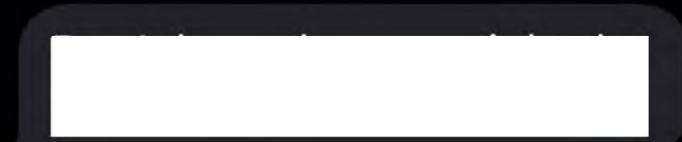
*** Justin Scott

Cancel

To: *** Justin Scott Gilbert ***



Apr 1, 2019, 1:13 PM



iMessage



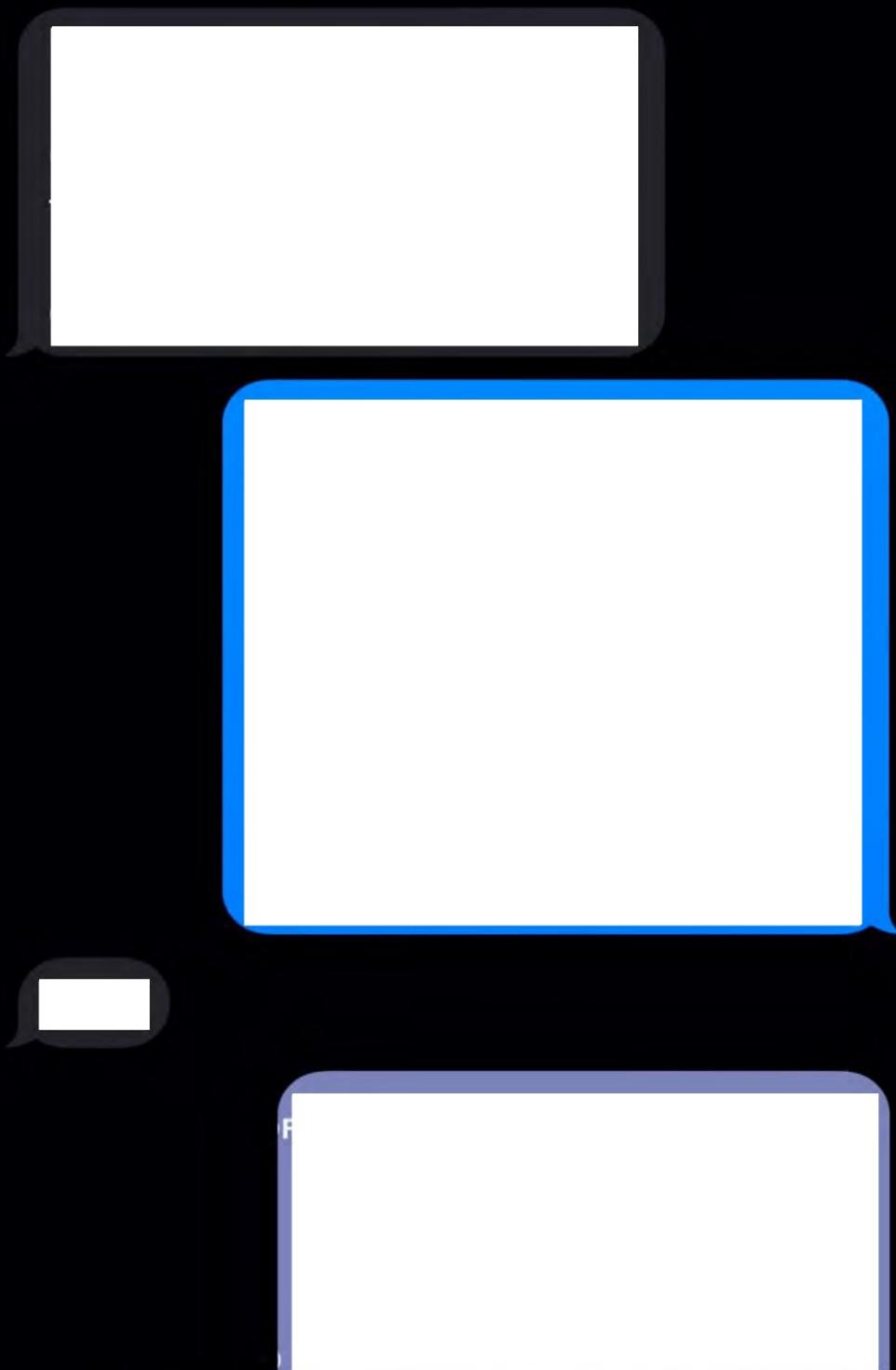
3:34 ↗



*** Justin Scott

Cancel

To: *** Justin Scott Gilbert ***



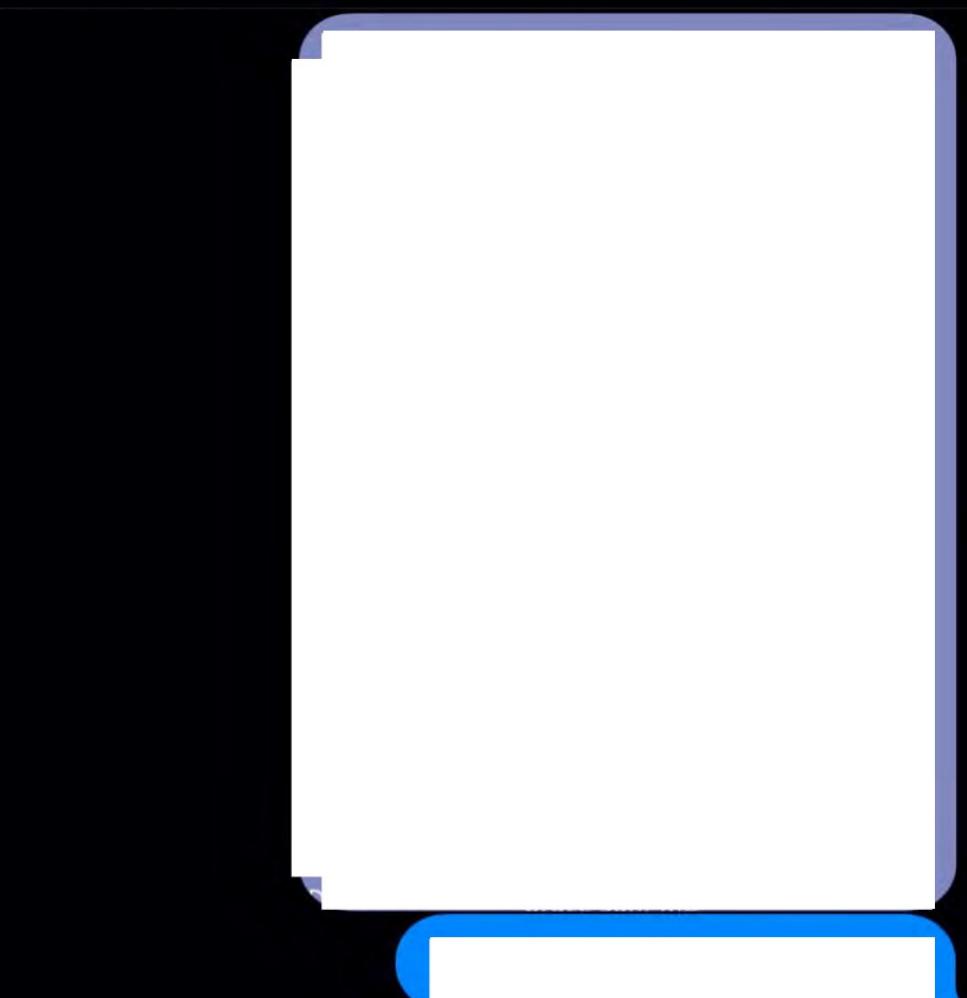
iMessage



*** Justin Scott

Cancel

To: *** Justin Scott Gilbert ***



*** Justin Scott

Cancel

To: *** Justin Scott Gilbert ***

Yes

How would you calculate your monetary loss? Are you making more now than you would've been?

definitely not even close. I make base 150k now before tax. Attending general ophthalmology salary (Ignoring that I was planning to subspecialize) is 348k per quick search and photo here.



Salary for Physician - Ophthalmology in New York, NY | Salary.com
www1.salary.com

compensation opportunity
for a Physician -
Ophthalmology, base salary
plus other pay elements

Average Base Salary

Core compensation

*** Justin Scott

Cancel

To: *** Justin Scott Gilbert ***

**compensation opportunity
for a Physician -
Ophthalmology, base salary
plus other pay elements**

Average Base Salary

Core compensation

\$293 k

\$354.5 k

\$416 k

\$348,010

\$292,538

\$398,101

Average Total Compensation

Includes bonus, healthcare, and retirement

\$352,372

What is it in TN?

Step ① of 3

**Understand the total
compensation opportunity
for a Physician -
Ophthalmology, base salary
plus other pay elements**

Average Base Salary

Core compensation

\$224 k

\$271.5 k

\$319 k

\$266,530

*** Justin Scott

Cancel

To: *** Justin Scott Gilbert ***

What is it in TN?

Step 1 of 3

Understand the total compensation opportunity for a Physician - Ophthalmology, base salary plus other pay elements

Average Base Salary

Core compensation

**Average Total Compensation**

Includes bonus, healthcare, and retirement

Avg 267k, high is 305k

in all honesty to you, I was no planning on living in TN

Only came there to spend time with my dad, who was there and sick

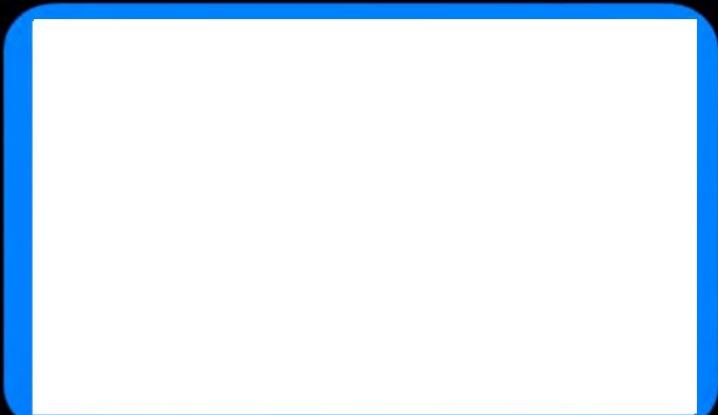
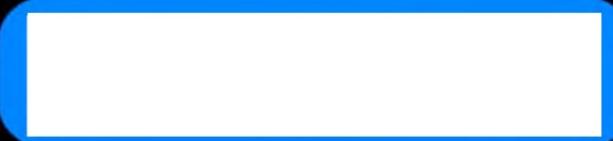
3:35 ↗



*** Justin Scott

Cancel

To: *** Justin Scott Gilbert ***



Apr 1, 2019, 3:36 PM



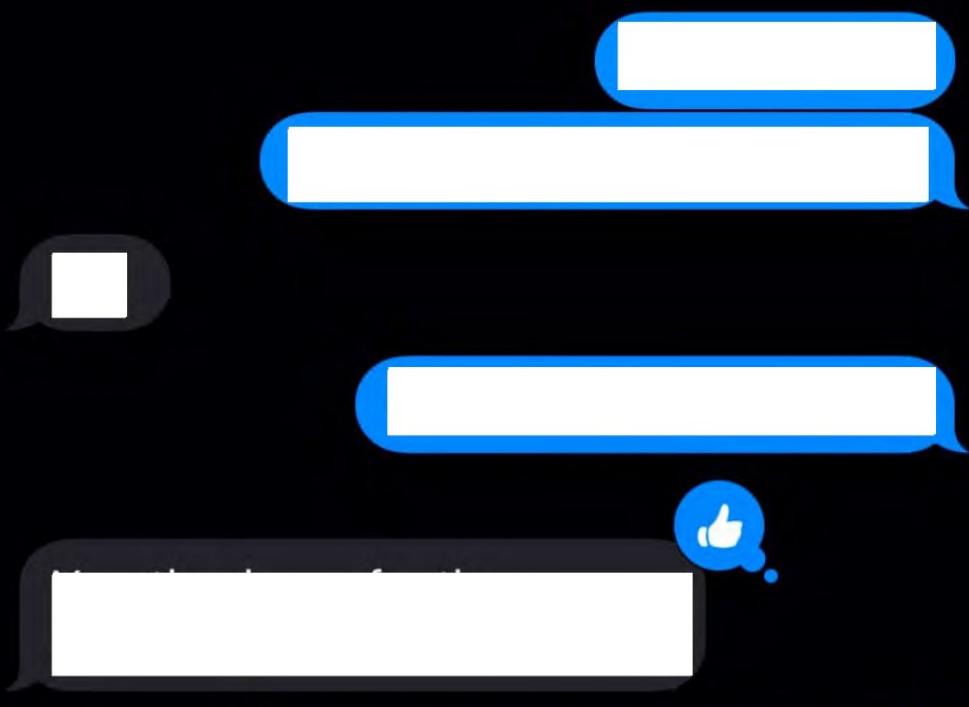
iMessage



*** Justin Scott

Cancel

To: *** Justin Scott Gilbert ***



Omg guess what I finally found, it's a starting point at least that addresses point of this being more of a comprehensive evaluation of milk contenders from different stores

All Practice		
Mean	Std Dev	10th %tile
\$266,004	\$167,001	\$100,071
358	186	141,327
629,262	618,289	628,652
627,121	618,289	618,289



iMessage



*** Justin Scott

Cancel

To: *** Justin Scott Gilbert ***

Omg guess what I finally found, it's a starting point at least that addresses point of this being more of a comprehensive evaluation of milk contenders from different stores

All Practices								
Group	Count	Mean	Std Dev	10th %tile	25th %tile	Median	75th %tile	90th %tile
Primary Care	358	106	\$411,327	\$203,362	\$180,398	\$268,652	\$374,201	\$491,071
Specialty: Corneal Surgery	7	3	*	*	*	*	*	*
Specialty: Endocrinology	3	3	*	*	*	*	*	*
Specialty: General Surgery	1	1	*	*	*	*	*	*
Specialty: Hand Recon	5	3	*	*	*	*	*	*
Specialty: Retina	21	10	\$710,619	\$308,620	\$433,479	\$473,951	\$603,539	\$911,071
Specialty: Orthopedic [Surgical]	56	41	\$375,560	\$201,983	\$145,114	\$203,352	\$318,575	\$531,071
Specialty: Other	985	243	\$620,991	\$311,360	\$299,670	\$424,932	\$568,319	\$741,071

This is 2015 based on 2014 data

From MGMA annual provider compensation report in 2015 on 2014 data



iMessage



Ophthalmology	358	106	\$411,327	\$203,362	\$180,398	\$268,652	\$374,201	\$495,338	\$673,495
Ophthalmology: Corneal and Refractive Surgery	7	3	*	*	*	*	*	*	*
Ophthalmology: Glaucoma	3	3	*	*	*	*	*	*	*
Ophthalmology: Neurology	1	1	*	*	*	*	*	*	*
Ophthalmology: Oculoplastic and Recon Surgery	5	3	*	*	*	*	*	*	*
Ophthalmology: Retina	21	10	\$710,619	\$308,620	\$433,479	\$473,951	\$603,539	\$916,539	\$1,228,962
Orthopedic (Nonsurgical)	56	41	\$375,560	\$201,983	\$145,114	\$203,352	\$318,575	\$538,773	\$682,633
Orthopedic Surgery: General	985	243	\$620,991	\$311,360	\$299,670	\$424,932	\$568,319	\$744,342	\$1,002,510

Copy



Save



More...



*** Justin Scott

Cancel

To: *** Justin Scott Gilbert ***

This is 2015 based on 2014 data

From MGMA annual provider compensation report in 2015 on 2014 data

Wed, May 27, 10:34 AM

In front of a computer with internet and got 5 minutes?

I will be in 15 minutes if you want to send it to me

It has some proprietary stuff in it so it's password locked, I can walk you through it when you call but if you click link I just sent, should take you to the google sheet

I have call at 11 but call me anytime before

I have a little time to mess with



iMessage



*** Justin Scott

Cancel

To: *** Justin Scott Gilbert ***

It has some proprietary stuff in it so it's password locked, I can walk you through it when you call but if you click link I just sent, should take you to the google sheet

I have call at 11 but call me anytime before

I have a little time to mess with technology so if you can take a picture of it and text it to me I can look at it. Otherwise, I will call.

I tried to make it user friendly, so just click link and will prompt you for password. Call me then

Specialty	Count	Total	Avg	Min	Max	Std Dev	Median
Ophthalmology	118	66	\$247,371	\$91,595	\$162,176	\$109,820	\$226,915
Cataract Surgery and Related Surgery	350	106	\$411,327	\$203,362	\$180,388	\$266,652	\$374,201
Optometry	7	3	*	*	*	*	*
Glaucoma	3	3	*	*	*	*	*
Ophthalmology: Neurology	1	1	*	*	*	*	*
Orthopedic Surgery: Oculoplastic and Reconn Surgery	5	3	*	*	*	*	*
Orthotraumatologic: Retina	21	10	\$710,619	\$308,620	\$430,479	\$473,951	\$602,538
Orthopedic (Nonsurgical)	56	41	\$375,560	\$201,983	\$145,114	\$201,352	\$184,575
Orthopedic Surgery: General	985	243	\$620,991	\$311,360	\$296,670	\$424,932	\$560,319
Orthopedic Surgery: Foot and Ankle	78	48	\$353,320	\$194,676	\$302,586	\$381,987	\$507,942
Orthopedic Surgery: Hand	169	93	\$584,717	\$257,163	\$209,447	\$284,679	\$339,250
Orthopedic Surgery: Hip and Joint	151	77	\$672,285	\$315,681	\$297,768	\$450,008	\$616,830
Orthopedic Surgery: Oncology	4	3	*	*	*	*	*
Orthopedic Surgery	1	1	*	*	*	*	*



iMessage



*** Justin Scott

Cancel

To: *** Justin Scott Gilbert ***

Categorical Medicine	Code	Description	Category	Code	Description	Category	Code	Description	Category	Code	Description	Category	Code	Description	Category			
Ophthalmology	116	\$247,371	\$91,595	\$162,176	\$189,628	\$224,505	\$274,188	\$369,601	Otolaryngology	117	\$247,371	\$91,595	\$162,176	\$189,628	\$224,505	\$274,188	\$369,601	
Orthopedic Surgery	358	\$411,327	\$201,362	\$102,398	\$268,652	\$374,201	\$495,338	\$673,493	Orthopedic Surgery	358	\$411,327	\$201,362	\$102,398	\$268,652	\$374,201	\$495,338	\$673,493	
Orthopedic Surgery	7	3	-	-	-	-	-	-	Orthopedic Surgery	7	3	-	-	-	-	-	Orthopedic Surgery	
Orthopedic Surgery	3	3	-	-	-	-	-	-	Orthopedic Surgery	3	3	-	-	-	-	-	Orthopedic Surgery	
Ophthalmology	1	1	-	-	-	-	-	-	Ophthalmology	1	1	-	-	-	-	-	Ophthalmology	
Ophthalmology	1	1	-	-	-	-	-	-	Ophthalmology	1	1	-	-	-	-	-	Ophthalmology	
Oculoplastic and Recon	5	3	-	-	-	-	-	-	Oculoplastic and Recon	5	3	-	-	-	-	-	Oculoplastic and Recon	
Ophthalmology Retina	21	10	\$710,619	\$300,620	\$431,479	\$471,951	\$601,539	\$916,539	Ophthalmology Retina	21	10	\$710,619	\$300,620	\$431,479	\$471,951	\$601,539	\$916,539	Ophthalmology Retina
Orthopedic (Nonsurgical)	56	41	\$375,560	\$207,982	\$145,114	\$203,352	\$210,575	\$330,773	Orthopedic (Nonsurgical)	56	41	\$375,560	\$207,982	\$145,114	\$203,352	\$210,575	\$330,773	Orthopedic (Nonsurgical)
Orthopedic Surgery	965	243	\$620,991	\$211,360	\$269,670	\$426,932	\$568,319	\$744,342	Orthopedic Surgery	965	243	\$620,991	\$211,360	\$269,670	\$426,932	\$568,319	\$744,342	Orthopedic Surgery
Orthopedic Surgery Foot and Ankle	78	48	\$335,320	\$194,076	\$332,596	\$381,967	\$507,942	\$676,223	Orthopedic Surgery Foot and Ankle	78	48	\$335,320	\$194,076	\$332,596	\$381,967	\$507,942	\$676,223	Orthopedic Surgery Foot and Ankle
Orthopedic Surgery Hand	169	93	\$384,717	\$257,163	\$269,447	\$384,679	\$339,050	\$724,591	Orthopedic Surgery Hand	169	93	\$384,717	\$257,163	\$269,447	\$384,679	\$339,050	\$724,591	Orthopedic Surgery Hand
Orthopedic Surgery Hip and Joint	151	77	\$672,285	\$315,681	\$291,768	\$452,008	\$616,830	\$824,252	Orthopedic Surgery Hip and Joint	151	77	\$672,285	\$315,681	\$291,768	\$452,008	\$616,830	\$824,252	Orthopedic Surgery Hip and Joint
Orthopedic Surgery Oncology	4	3	-	-	-	-	-	-	Orthopedic Surgery Oncology	4	3	-	-	-	-	-	Orthopedic Surgery Oncology	
Orthopedic Surgery Shoulder/Ellbow	18	13	\$654,046	\$291,121	\$255,228	\$406,140	\$521,603	\$845,804	Orthopedic Surgery Shoulder/Ellbow	18	13	\$654,046	\$291,121	\$255,228	\$406,140	\$521,603	\$845,804	Orthopedic Surgery Shoulder/Ellbow
Orthopedic Surgery Spine	132	75	\$805,103	\$402,716	\$336,830	\$520,810	\$736,710	\$930,009	Orthopedic Surgery Spine	132	75	\$805,103	\$402,716	\$336,830	\$520,810	\$736,710	\$930,009	Orthopedic Surgery Spine
Orthopedic Surgery Trauma	83	37	\$644,164	\$251,916	\$286,729	\$465,173	\$641,543	\$770,200	Orthopedic Surgery Trauma	83	37	\$644,164	\$251,916	\$286,729	\$465,173	\$641,543	\$770,200	Orthopedic Surgery Trauma
Orthopedic Surgery Sports Medicine	216	87	\$478,770	\$210,232	\$337,941	\$471,575	\$491,207	\$813,025	Orthopedic Surgery Sports Medicine	216	87	\$478,770	\$210,232	\$337,941	\$471,575	\$491,207	\$813,025	Orthopedic Surgery Sports Medicine
Otorhinolaryngology	573	185	\$455,308	\$210,232	\$264,736	\$311,065	\$426,533	\$786,273	Otorhinolaryngology	573	185	\$455,308	\$210,232	\$264,736	\$311,065	\$426,533	\$786,273	Otorhinolaryngology
Pain Management	62	17	\$465,005	\$211,844	\$274,649	\$770,008	\$564,293	\$562,100	Pain Management	62	17	\$465,005	\$211,844	\$274,649	\$770,008	\$564,293	\$562,100	Pain Management
Pathology	104	75	\$406,934	\$191,125	\$218,162	\$218,039	\$366,939	\$447,006	Pathology	104	75	\$406,934	\$191,125	\$218,162	\$218,039	\$366,939	\$447,006	Pathology
Pathology Anatomic and Clinical	49	11	\$361,049	\$191,680	\$202,226	\$241,620	\$346,175	\$440,000	Pathology Anatomic and Clinical	49	11	\$361,049	\$191,680	\$202,226	\$241,620	\$346,175	\$440,000	Pathology Anatomic and Clinical
Pathology Diagnostic	104	75	\$406,934	\$191,125	\$218,162	\$218,039	\$366,939	\$447,006	Pathology Diagnostic	104	75	\$406,934	\$191,125	\$218,162	\$218,039	\$366,939	\$447,006	Pathology Diagnostic

I see the \$710,619 figure.
Where did you get the
\$768,000 figure you used in
your Excel sheet?



iMessage





HA
HA

10

?

	66	347,173	33,179	216,471	71,693,024	12,744,516	27,741,066	136,937,962	
Ophthalmology	353	106	\$411,327	\$203,362	\$180,398	\$268,652	\$374,207	\$495,238	\$673,499
Ophthalmology: Corneal and Refractive Surgery	7	3	*	*	*	*	*	*	*
Ophthalmology: Glaucoma	3	3	*	*	*	*	*	*	*
Ophthalmology: Neurology	1	1	*	*	*	*	*	*	*
Ophthalmology: Oculoplastic and Recon Surgery	5	3	*	*	*	*	*	*	*
Ophthalmology: Retina	21	10	\$7,106,191	\$306,620	\$435,479	\$47,395,1	\$46,651,0	\$976,539	\$1,228,962
Orthopedic (Non-surgical)	56	41	\$375,560	\$201,963	\$145,114	\$20,352	\$7,615,7	\$596,773	\$682,693
Orthopedic Surgery: General	965	245	\$520,991	\$311,360	\$26,681	\$424,952	\$366,319	\$744,342	\$1,002,510
Orthopedic Surgery: Foot and Ankle	73	45	\$505,220	\$194,876	\$30,206	\$137,987	\$507,942	\$676,272	\$821,186
Orthopedic Surgery: Hand	162	95	\$566,717	\$257,163	\$26,647	\$384,679	\$359,750	\$724,587	\$973,701
Orthopedic Surgery: Hip and Joint	151	77	\$672,285	\$315,681	\$291,765	\$453,006	\$41,623	\$824,252	\$1,116,697
Orthopedic Surgery: Oncology	4	3	*	*	*	*	*	*	*
Orthopedic Surgery: Shoulder/Elbow	18	13	\$654,048	\$293,121	\$255,208	\$426,140	\$25,683	\$846,924	\$1,151,165
Orthopedic Surgery: Spine	132	76	\$803,103	\$426,716	\$316,303	\$328,810	\$7,810	\$980,649	\$1,376,887
Orthopedic Surgery: Trauma	16	37	\$644,164	\$251,916	\$288,729	\$465,773	\$641,543	\$776,248	\$921,900
Orthopedic Surgery: Foot/Medicine	216	87	\$879,730	\$310,441	\$187,411	\$471,373	\$626,207	\$1,015,005	\$1,104,664
Orthopaediatrics	573	183	\$455,000	\$210,203	\$246,796	\$31,105	\$405,503	\$586,498	\$758,273
Pain Management: Non-anesthesia	82	37	\$368,763	\$211,044	\$254,059	\$279,206	\$364,230	\$615,095	\$820,443
Pathologists: Anatomic and Clinical	194	75	\$438,584	\$140,579	\$283,623	\$328,800	\$388,856	\$447,084	\$682,295
Pathologists: Anatomic	49	11	\$361,269	\$101,469	\$225,345	\$241,420	\$346,173	\$440,000	\$638,744

Copy



Save



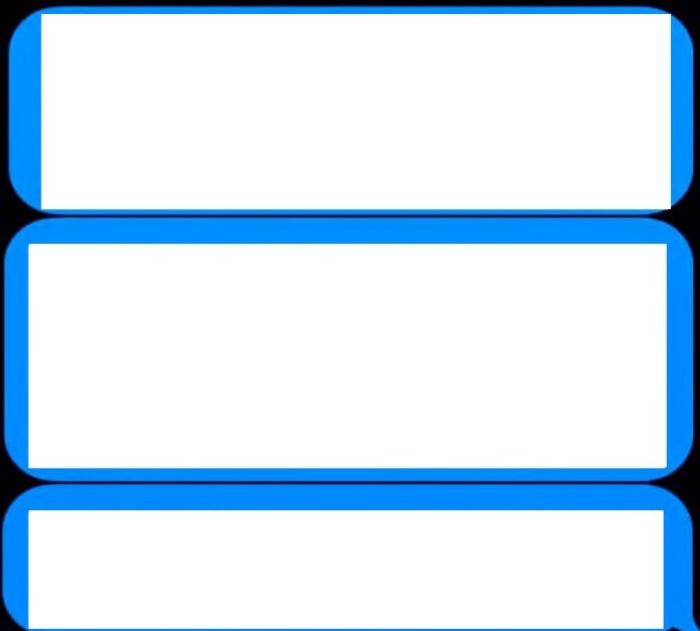
More...



*** Justin Scott

Cancel

To: *** Justin Scott Gilbert ***

**SINGH MODEL DAMAGES****1. RETINA SPECIALIST**

\$710,000 Retina Specialist:

\$183,000

\$527,000 Annual Mitigated Loss Beginning 2020

2. OPHTHALMOLOGIST

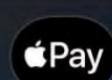
\$468,000*

-\$183,00

\$280,000 Annual Mitigated Loss Beginning 2018



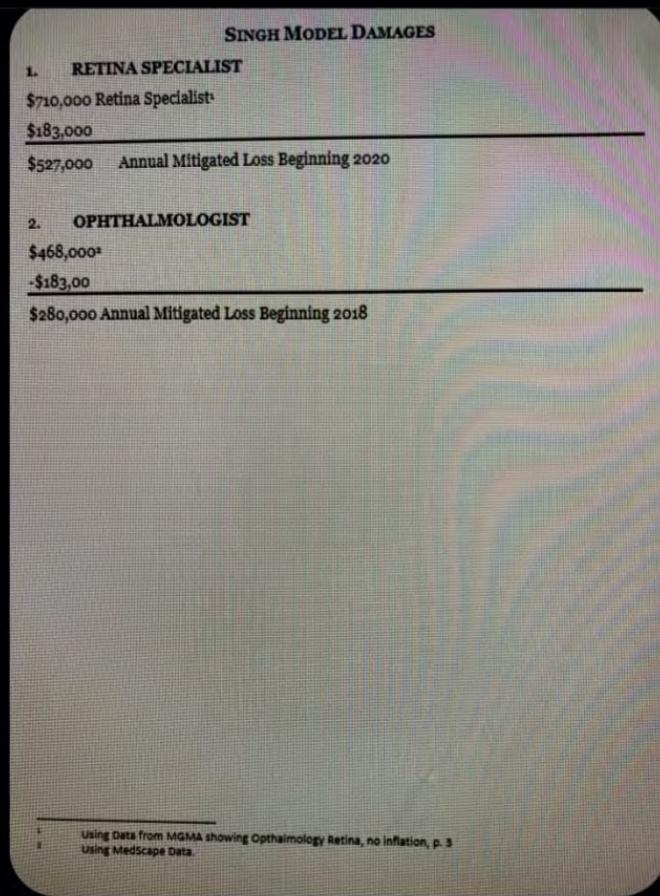
iMessage



*** Justin Scott

Cancel

To: *** Justin Scott Gilbert ***



Without the inflation on retina...

Correct

I just called my boss of boss and asked him among associates what percentile am I and he said top 10%. I already knew that because market associate job in nyc avg pays



iMessage





SINGH MODEL DAMAGES

1. RETINA SPECIALIST

\$710,000 Retina Specialist¹

\$183,000

\$527,000 Annual Mitigated Loss Beginning 2020

2. OPHTHALMOLOGIST

\$468,000²

-\$183,00

\$285,000 Annual Mitigated Loss Beginning 2018

¹ Using Data from MGMA showing Ophthalmology Retina, no inflation, p. 3
² Using MedScape Data.

Copy



Save



More...

